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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,309	06/25/2003	Jorg Willershausen	0275M-000746	3169

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HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

EXAMINER

TRAN, LEN

ART UNIT	PAPER NUMBER
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1725

DATE MAILED: 08/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/606,309

Applicant(s)

WILLERSHAUSEN, JORG

Examiner

Len Tran

Art Unit

1725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 and 27-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-19, 32-39, 41 and 42 is/are allowed.
- 6) ☒ Claim(s) 1-13, 27-31, 40, 43 and 44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8, 13, 27, 28, 40, 43, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCardle et al (US '401) in view of Ettinger (US 3,694,611).

As to claims 1, 27, 32, 40, 43, and 44, McCardle et al disclose the device for short-cycle arc welding comprising a positioning mechanism that hold the head (7), wherein the head comprising a chucking mechanism, having a linear motion mechanism (16) for advancing and retracting the chucking mechanism relative to the head (col. 3, lines 61-63). The chucking mechanism further comprising a radially movable chucking element (14) (col. 3, lines 57-59).

However, McCardle et al fails to teach a feed channel that runs through the actuator by use of gas pressure.

Ettinger discloses using gas pressure for feeding stud that runs through the actuator for the purpose of preventing stud jam (abstract).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time applicant's invention was made to provide gas pressure as taught by Ettinger, in McCardle for the purpose of preventing stud jam.

As to claims 2, 4, and 28, the chucking mechanism comprise an axially movable clamping nosepiece (28).

As to claims 3 and 5, further comprising plurality of angled surfaces (24a and b).

As to claim 6, the chucking element further comprise self-centering chucking element (34).

As to claim 7, the chucking element having wedge shape and a clamping nut (32) located on a chucking element side (figure 6).

As to claim 8, further comprising a drive (13) for bracing the clamping nosepiece.

As to claim 13, comprising measurement voltage between the chucking mechanism and the component (col. 5, lines 29-67).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCardle et al (US '401).

McCardle et al disclose the drive, but lacks the mentioning of a linear motor, a fluid cylinder, or a pressure sensor inside the clamping mechanism.

However, McCardle et al disclose a electric motor (13) for the purpose of raising and lowering as well as radially open and close the chuck. In addition, McCardle et al discloses measuring voltage drop to provide electrical signal. Therefore, it would have been obvious to one of ordinary skill in the art at the time applicant's invention was made to modify with any of the above equipment, since it is functionally equivalent with McCardle et al's equipment.

5. Claims 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCardle et al (US '401), in view of Torvinen (US 6,388,224).

McCardle et al disclose the claimed above, but lacks the mentioning of a storage chamber.

However, Torvinen discloses a storage chamber (80) for the purpose of storing elements to be welded.

Therefore, it would have been obvious to one of ordinary skill in the art at the time applicant's invention was made to provide a storage chamber as taught by Torvinen, in McCardle et al in order to hold elements to be welded.

Allowable Subject Matter

6. Claims 14-19, 32-39, 41-42 are allowed.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Len Tran whose telephone number is (571) 272-1184.

The examiner can normally be reached on M-F, 8:30 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dunn can be reached on (571) 272-1171. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Len Tran
Examiner
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A handwritten signature in black ink, appearing to read 'Len Tran', is written over the printed name and title.

July 25, 2005